

REMARKS

The present application was filed on September 23, 2003 with claims 1-20. Prior to the present amendment, claims 1-20 were pending in the application, including independent claims 1 and 17-20.

In the Decision, the Board affirmed the rejection of claims 1-5, 10-12 and 15-20 under 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2002/0060995 (hereinafter “Cervello”) and U.S. Publication No. 2004/0203889 (hereinafter “Karaoguz”), and the rejections of claims 6, 7, 9, 13 and 14 under 35 U.S.C. §103(a) as being unpatentable over references including Cervello and Karaoguz.

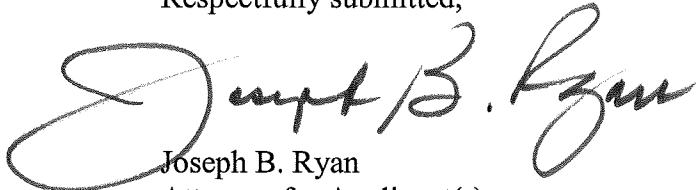
The Board reversed the rejection of claim 8 under 35 U.S.C. §103(a) as being unpatentable over Cervello and Karaoguz. In accordance with MPEP 1214.06(II), Applicants have incorporated the limitations of allowable dependent claim 8 into each of independent claims 1 and 17-20. Claim 8 has accordingly been canceled.

See also MPEP 1206 (“Rewriting dependent claims into independent form as permitted under 37 CFR 41.33(b)(2) includes the following situations: (A) rewriting a dependent claim in independent form by adding thereto the limitations of the parent claim(s); and (B) rewriting an independent claim to incorporate therein all the subject matter of a dependent claim, canceling the dependent claim and in conjunction therewith changing the dependency of claims which had depended from the dependent claim being canceled to the amended independent claim that incorporates therein all the subject matter of the now canceled dependent claim.”)

In view of the reversal of the rejection of dependent claim 8, the present amendment is believed to place the application in condition for allowance. Applicants respectfully note that MPEP 1214.04 provides that an “examiner should never regard such a reversal as a challenge to make a new search to uncover other and better references.” (emphasis added)

In view of the above, Applicants believe that claims 1-7 and 9-20, as amended herein, are in condition for allowance, and such favorable action is respectfully solicited.

Respectfully submitted,



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